

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

**I. Disposition of Claims**

Claims 1-10 are pending in this application. Claims 1 and 4 are independent. The remaining claims depend, directly or indirectly, from claims 1 and 4. Claim 1 has been amended to more clearly recite the present invention. These amendments were not made for reasons of patentability. No new matter has been added by way of these amendments.

**II. Objection(s)**

The drawings were objected to for failing to include textual labels in Figures 1A, 1B, and 8C. Accordingly, the drawings have been amended to include the textual labels. Withdrawal of this objection is respectfully requested.

**III. Rejection(s) under 35 U.S.C § 102**

Claims 1-10 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,268,849 ("Boyer"). This rejection is respectfully traversed.

*Independent claim 1*

As recited in claim 1, the claimed invention relates to a portal for a communications system that includes a terminal connected to a broadcast center. The portal includes a display for displaying a number of cells, each with a visual object and an underlying application. The portal also includes a user input device to select one of the cells. At least one cell has at least some characteristics determined at the broadcast center, while at least one cell has at least some characteristics determined in accordance with data stored at the terminal.

*Boyer*

Boyer teaches an Internet television program guide system that allows a user to access television program listings. The system 10 gathers information for the listings that are sent to the user's multimedia system 76 (in Figure 1 of Boyer). The listings may include real-time data, such as video stills, video clips, and textual information.

Boyer does not disclose claim 1 of the present invention for at least the following reasons:

- First, claim 1 clearly states that the portal is connected to a broadcast center. Boyer, on the other hand, is clearly Internet-based and the entire disclosure of Boyer indicates that the television program guide is sent on request rather than broadcast. For example, Boyer states, “[b]ecause the television program guide is provided using web pages, the features of the program guide may be accessed using standard web browsers operating on the appropriate processing unit in the user's multimedia system” (col. 6, ll. 1-4). In other words, the program guide is provided on request to a user accessing web pages via standard web browsers.

- Secondly, all of the cells in Boyer have characteristics determined at the main facility 10 of which the media library 12 and the data server 14 are parts (in Figure 1 of Boyer). This is quite different from claim 1 of the present invention where at least one cell has characteristics determined in accordance with data stored at the terminal.

Because Boyer does not disclose all of the elements of claim 1, claim 1 is patentable over Boyer. Claims 2 and 3, being dependent on claim 1, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection with respect to claims 1-3 is respectfully requested.

*Independent claim 4*

As recited in claim 4, the claimed invention relates to a method of generating a portal. In claim 4, a plurality of programs is received and data indicative of their characteristics are continuously monitored. The portal is generated, including cells containing current video of at least some of the received programs and organized based on their characteristics. The cells are dynamically reorganized when the monitored characteristics change.

Boyer does not disclose claim 4 of the present invention for at least the following reasons:

- As previously discussed, the system as disclosed by Boyer does not receive any programs. In Boyer, a multimedia system 76 receives television programs (*i.e.*, a TV signal over link 80), but the program guide is created by the main facility 10. The data server 14 maintains a television program *listings* database, however, the data server 14 does not maintain the

television programs themselves. (See, *e.g.*, col. 4, ll. 12 and 13). Further, Boyer is completely silent to the main facility 10 receiving such programs.

- Secondly, none of the cells in Boyer include “current video of at least some of the received programs,” as recited in claim 4. While Boyer does mention real-time data, Boyer fails to disclose or suggest that the real-time data is an actual program. Boyer only discloses that the real-time data may be, for instance, weather data, sports scores, *etc.* For example, Boyer states, “the real-time data received by transmission server 16 from processing facilities 50 is embedded within the television program listing of the corresponding televised event in progress or within any other program listing to which the real-time data is of relevance” (emphasis added) (col. 4, ll. 50-55). Furthermore, Boyer states that “[i]f it is desired to use certain program guide features that rely upon the control of a tuner or recording unit, the multimedia system should also have the possibility to tune to a desired television program from among the various television programs provided at input 80” (col. 5, ll. 52-58). Thus, to show the real-time data in Boyer, the multimedia system must be tuned to a particular program.

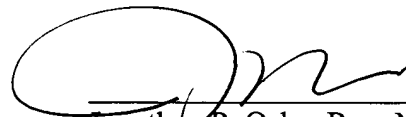
Because Boyer does not disclose all of the elements of claim 4, claim 4 is patentable over Boyer. Claims 5-10, being dependent on claim 4, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection with respect to claims 4-10 is respectfully requested.

#### IV. Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345.032002).

Respectfully submitted,

Date: 8/26/04



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IN THE DRAWINGS:

Please amend figures 1A, 1B, and 8C as shown in the enclosed replacement sheets. These figures have been amended to include textual labels.